

E-filing

United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

CR 08

0331

SI

FILED  
MAY 15 PM 12:58  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

THOMAS REIK,  
a/k/a/ Thomas Otto,

DEFENDANT(S).

---

**INDICTMENT**

VIOLATIONS:

18 U.S.C. § 2252(a)(2) - Receipt of Child Pornography; 18 U.S.C. §  
2252(a)(4)(B) - Possession of Child Pornography

INOCIT  
A true bill.

Jane Wadsworth  
Foreman

Filed in open court this 15 day of MAY 2008

BETTY FONG

D. Chen Clerk EDWARD M. CHEN  
UNITED STATES MAGISTRATE JUDGE

No Bail warrant Bail. \$ \_\_\_\_\_

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

18 U.S.C. § 2252(a)(2)– Receipt of Child Pornography; 18 U.S.C. § 2252(a)(4)(B)– Possession of Child Pornography

**E-filing**

- Petty  
 Minor  
 Misdemeanor  
 Felony

Name of District Court, and/or Judge/Magistrate Location  
**NORTHERN DISTRICT OF CALIFORNIA**

**DEFENDANT - U.S.**

THOMAS REIK, a/k/a Thomas Otto

**DISTRICT COURT NUMBER****PENALTY:**

See Attached Penalty Sheet

**PROCEEDING**

Name of Complainant Agency, or Person (&amp;Title, if any)

Immigration &amp; Customs Enforcement (ICE)

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed  
 which were dismissed on motion of:

U.S. Att'y  Defense  
 this prosecution relates to a pending case involving this same defendant  
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

Joseph P. Russoniello

U.S. Att'y  Other U.S. Agency

Name of Asst. U.S. Att'y  
(if assigned)

Erika R. Frick

**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**

SUMMONS  NO PROCESS\*  WARRANT Bail Amount: No bail

If Summons, complete following:

Arraignment  Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

28 MAY 15 PM 12:58  
FEDERAL BUREAU OF INVESTIGATION  
U.S. DEPARTMENT OF JUSTICE  
FBI - SAN FRANCISCO  
FILED  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SI

1 JOSEPH P. RUSSONIELLO (CSBN 44332)  
2 United States Attorney  
3  
4  
5

## E-filing

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 THOMAS REIK,  
16 a/k/a Thomas Otto,

17 Defendant.

CR NO. 8

0831

) VIOLATIONS: 18 U.S.C. § 2252(a)(2) –  
Receipt of Child Pornography; 18 U.S.C. §  
2252(a)(4)(B) – Possession of Child  
Pornography

) SAN FRANCISCO VENUE

### INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (18 U.S.C. § 2252(a)(2) - Receipt of Child Pornography)

22 Beginning on or about March 10, 2006 and continuing until on or about May 2, 2006, in  
23 the Northern District of California, the defendant,

24 THOMAS REIK,  
25 a/k/a Thomas Otto,

26 did knowingly receive at least one visual depiction that had been mailed, shipped, and  
27 transported in interstate and foreign commerce, by computer, knowing that the production of  
28 such visual depiction involved a minor engaging in sexually explicit conduct and that such visual

1 depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(2).

2 COUNT TWO: (18 U.S.C. § 2252(a)(4)(B) - Possession of Child Pornography)

3 On or about May 2, 2006, in the Northern District of California, the defendant,

4 THOMAS REIK,  
5 a/k/a Thomas Otto,

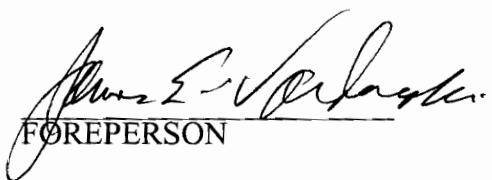
6 did knowingly possess at least one matter, namely a Hewlett Packard Pavillion 6735 computer,  
7 serial number KR03073504, and hard drive, which contained at least one visual depiction that  
8 had been shipped and transported in interstate and foreign commerce, by computer, knowing that  
9 the production of such visual depiction involved a minor engaging in sexually explicit conduct  
10 and that such visual depiction was of such conduct, in violation of Title 18, United States Code,  
11 Section 2252(a)(4)(B).

12

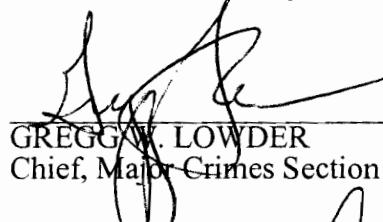
13 DATED:

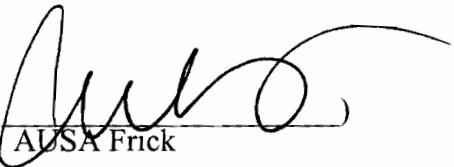
14 5-15-09

A TRUE BILL.

  
15 FOREPERSON

16 JOSEPH P. RUSSONIELLO  
17 United States Attorney

18   
19 GREGG W. LOWDER  
20 Chief, Major Crimes Section

21 (Approved as to form:  
22   
23 AUSA Frick